

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Case No. 09-CR-045-PB

Scott Rogers

O R D E R

Counsel has filed a motion for psychological evaluation, seeking permission for Dr. James Adams of the N.H. Office of the Forensic Examiner to evaluate the defendant's mental competency. Based on this motion, the court finds reasonable cause to believe that the defendant may presently be suffering from a mental disease that could affect his competency to plead guilty or stand trial.

Accordingly, pursuant to 18 U.S.C. §§ 4241, 4247, and with the consent of the parties, the request is granted. Dr. Adams shall conduct the examination and prepare a report to be filed under seal within 45 days addressing the defendant's competency. This report shall also take into account any medications the defendant is currently taking.

The May 5, 2009 trial shall be continued to July 7, 2009. In agreeing to continue the trial, the court finds pursuant to 18 U.S.C.A. § 3161(h)(8)(A) that for the above-stated reasons, the ends of justice served in granting a continuance outweigh the best interests of the public and the defendant in a speedy trial.

A competency hearing on the evaluation shall be scheduled prior to trial.

SO ORDERED.

/s/Paul Barbadoro
Paul Barbadoro
United States District Judge

April 28, 2009

cc: Jessica Brown, Esq.
Michael Zaino, AUSA
United States Probation
United States Marshal